

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

AT CHARLESTON

WILLIAM TOLLEY
and PATRICIA TOLLEY,
his wife,

Plaintiffs,

v.

Civil Action No. 2:06-CV-0565
(Honorable Joseph R. Goodwin)

MONSANTO COMPANY, et al.

Defendants.

STIPULATION AND AGREED ORDER OF DISMISSAL

This day came Plaintiffs, William Tolley and Patricia Tolley, by counsel, W. Stuart Calwell and represented to the Court that they have stipulated that all claims asserted in the above-styled civil action should be dismissed, with prejudice, pursuant to the provisions of Rule 41(a)(1)(ii) of the West Virginia Rules of Civil Procedure.

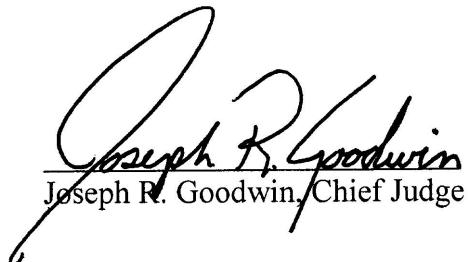
It appearing to the Court that such is proper and there being no objection, it is accordingly ORDERED that:

1. The complaint of the plaintiffs is dismissed as to the defendants, Monsanto Company and Pharmacia Corporation, with prejudice;

2. The plaintiffs and the defendants each shall bear their own costs, and expenses including legal fees; and

3. The Clerk is directed to forward a certified copy of this Order to counsel of record.

ENTERED this 4th day of March, 2008.



Joseph R. Goodwin
Joseph R. Goodwin, Chief Judge

Inspected and Agreed to By:

/s/ W. Stuart Calwell
W. Stuart Calwell (WV Bar # 595)
John H. Skaggs (WV Bar # 3234)
THE CALWELL PRACTICE, PLLC
500 Randolph Street
Charleston, West Virginia 25302
304-343-4323
Counsel for Plaintiffs

Prepared by and Agreed to By:

/s/ Charles M. Love, III
Charles M. Love, III (WV Bar #2259)
Diana L. Johnson (WV Bar #7466)
Bowles Rice McDavid Graff & Love LLP
600 Quarrier Street
Post Office Box 1386
Charleston, West Virginia 25325
304-347-1100
Counsel for Defendants